United Nations S/PV.6870 (Resumption 1)

Security Council

Sixty-seventh year

Provisional

6870th meeting
Monday, 26 November 2012, 3 p.m.
New York

President.	Mr. Vinay Kumar	(India)
Members:	Azerbaijan	Mr. Sharifov
	China	Ms. Liu Bing
	Colombia	Mr. Quintana
	France	Mrs. Le Fraper du Hellen
	Germany	Mr. Eick
	Guatemala	Mr. Briz Gutiérrez
	Morocco	Mr. Taib
	Pakistan	Mr. Ahmad
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Filimonov
	South Africa	Ms. Sabelo
	Togo	Mr. Yagninim
	United Kingdom of Great Britain and Northern Ireland	Mrs. Weekley
	United States of America	Mr. Cenzer

Agenda

Implementation of the note by the President of the Security Council (S/2010/507)

Working methods

Letter dated 19 November 2012 from the Permanent Representatives of India and Portugal to the United Nations addressed to the Secretary-General (S/2012/853)

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The meeting resumed at 3.10 p.m.

The President: I wish to remind all speakers to limit their statements to no more than four minutes in order to enable the Council to carry out its work expeditiously.

I now give the floor to the representative of Malaysia.

Mr. Haniff (Malaysia): Mr. President, I wish to commend you for the efforts made to engage the wider membership on this important issue of improving the working methods of the Security Council, at a time when the Council is perceived to be in a state of paralysis in terms of finding a lasting solution to the pressing events that are currently taking place in the Middle East, in particular in the occupied territories of Palestine and Syria. I wish also to align my statement with the statement delivered earlier by the representative of Iran on behalf of the Non-Aligned Movement.

Malaysia welcomes the efforts made by the Security Council in enhancing the efficiency of its work, as well as interaction and dialogue with non-Council members. In that connection, the note by the President of the Council (S/2010/507) and Japan's subsequent efforts in 2010 as the Chair of the Informal Working Group on Documentation and Other Procedural Questions in producing the *Handbook on the Working Methods of the Security Council*, known as the "green book", are landmark efforts. These are steps that are pushing forward the reform process of the Security Council, to which Malaysia stands ready to contribute.

Article 30 of the United Nations Charter stipulates that the Security Council shall adopt its own rules of procedure. On that basis, the Council adopted its provisional rules of procedure (S/96) in 1946. The provisional rules of procedure were later modified on several occasions, with the last revision being made in 1982, through S/96/Rev.7. It has therefore been 30 years since those provisional rules were last amended.

The provisional rules of procedure of the Security Council are in many ways a relic of the Second World War and the days of the Cold War. While other major organs of the United Nations have made their fair share of changes to their rules of procedure, regrettably the Security Council has refused to evolve with the times. More positive changes could be made to the Council's working methods if its members interpreted Article 30 of the Charter with a view to making the Council more democratic and to further improving the efficiency of its work. Members have to rise above their entrenched national interests and move forward so as to make the Council an organ that serves the wider membership as a whole.

How can we further improve the working methods of the Security Council so as to make it much more effective in the current situation? While presidential note 507 was indeed a positive move, the Council should also consider favourably General Assembly draft resolution A/66/L.42. Many, if not all, of the elements of change proposed in that draft resolution could be taken on board by the Council with a view to helping to move the reform process ahead and without the need to amend the United Nations Charter. It is time for the Council to move beyond the weak arguments put forward by States with the sole intention of maintaining the status quo on working methods and indirectly ensuring that their national interests continue to be protected.

The world today is extremely disappointed by the fact that the Council has not been able to do what it was mandated to do: maintain international peace and security. Let us look at what is happening in the Middle East today. Can the Council claim that it has been at the forefront in dealing with the tragedies in Palestine and in Syria? Has the Council moved beyond national interests in stopping the ongoing violence that has led to the deaths of 30,000 people in Syria and a rising number of casualties in Palestine? Were non-members of the Council, as responsible members of the international community, allowed to present their views during the Council's meeting on the attack on Gaza held on 14 November (see S/PV.6863) and during the one held on 21 November (see S/PV.6869)?

Unfortunately, the answer to all those questions is a resounding "no". Why is that so? Clearly, it is because the provisional rules of procedure and thus the working methods of the Council have failed the international community to the extent that there was recourse to the format of a private meeting on 14 November and to restrictions on the speakers' list for the open meeting held on 21 November, so as to deny non-members the opportunity to condemn the illegal occupier and aggressor in Palestine. We have to search our consciences and ask ourselves if that was the right thing to do. To get a clear answer, we have to put ourselves in the shoes of the victims of that aggression, be they children, women or the elderly.

In this debate, it would be remiss of me not to address the issue of the use of the veto. Malaysia has been consistent in its views on the veto. The use of the veto has led us all into a deadlock on how the international community should address the bloodshed in various regions, especially in the Middle East. The irony is that the veto is a double-edged sword. The permanent members of the Council are finding that the veto, time and again, is being used against them by other permanent members. The adage "what goes around, comes around" could not be more true in the context of the current deadlock faced by the Council on issues relating to the Middle East. The world is told that country "X" is blocking action to resolve the crisis in a certain country through the use of the veto, but the complainant then does the same when action is taken in another country in the region.

Let me reiterate once again that the use of the veto should be prohibited in situations involving genocide, war crimes and crimes against humanity. If the reform process can start with an agreement on this issue, then the working methods of the Council will have actually improved tremendously. Until such time, the working methods of the Council are still the ones agreed in 1946. The Council today seems to operate in a time warp, refusing to acknowledge the changes that have taken place since the end of the Second World War.

In conclusion, it is clear and known to all that the national interests of the members of the Council and their close allies are hindering the improvement of the working methods of this important organ. The political courage should be found to move beyond those entrenched interests and to make the Council more democratic and bring it in line with the current situation so as to make it reflective of geopolitical realities. Only then would the Council regain the respect of the international community, and the reform process of the United Nations, including reform in the working methods of the Council, would see some real and meaningful improvements.

The President: I now give the floor to the representative of the Republic of Korea.

Mr. Shin Dong Ik (Republic of Korea): At the outset, I should like to thank you, Mr. President, for having convened this important debate to discuss the working methods of the Security Council. My thanks also goes to the Portuguese delegation for their extensive work in chairing the Informal Working Group on Documentation and Other Procedural Questions, which has been instrumental in moving that issue forward.

With regard to the implementation of the note by the President contained in document S/2010/507, we believe that the Council has undertaken commendable efforts to enhance the participation of the wider membership in its work over the years. We are particularly pleased to note that the number of open meetings has been steadily increasing, while other forms of interaction, such as the monthly briefings for non-members by the presidency and meetings with police- or troop-contributing countries, have helped to promote a better dialogue with the general membership.

Presidencies have also promoted useful practices aimed at increasing efficiency and expediency, such as holding video conferences in open briefings in order to provide updates from the field. I would also like to recognize the Secretariat's work in reorganizing the Council's webpage and in enhancing the availability of information, including on mandates, reporting cycles and an analytical and statistical overview of the Council's activities over the past years.

While my delegation welcomes the progress made thus far, we believe that more can be done. Let me focus on three key areas outlined in the concept paper (S/2012/853, annex) for today's debate: transparency, interaction with non-members and efficiency.

First, we cannot emphasize enough the importance of enhancing transparency in view of the growing interest of the general membership in the work of the Council. The Republic of Korea hopes that the Council will strengthen its efforts to provide regular public briefings and ensure an updated forecast of its upcoming activities. At the same time, the relevant Council documents should be made available to non-members in a timely manner, so as to keep them informed of the Council's activities. Such actions by the Council would be helpful in assisting interested members to contribute to the work of the Council in meaningful ways.

Secondly, we believe the Council should endeavour to make greater use of formats that allow for enhanced interaction with the general membership and regional stakeholders that may play a crucial role in resolving a specific conflict. Informal interactive discussions and meetings with troop- and police-contributing countries should continue to form an important part of Council activities. That would allow greater interaction with concerned parties and garner meaningful input

from them. The Council can also make better use of Arria Formula meetings, so as to allow civil society and non-governmental organizations to enter into meaningful dialogue with the Council. The Council should also work on expanding its relationships and on enhancing coordination with regional and subregional organizations. Cooperation with regional institutions has become all the more essential for finding appropriate solutions to crises and conflicts and for making optimal use of resources and capacities. The annual consultation mechanism between the Security Council and the African Union Peace and Security Council is a good example that could be replicated with other regional organizations.

Thirdly, to deal with the ever-increasing volume and diversity of its workload, it is imperative that the Council undertake greater efforts towards increasing its overall efficiency. My delegation notes that Council members have reaffirmed their commitment to enhancing the Council's work in the president's note contained in document S/2012/402 of 5 June 2012. We welcome the fact that the Council has agreed to continue its efforts with a view towards having more focused discussions by minimizing the delivery of pre-prepared statements and by increasing interactivity within the Council's negotiation process. Moreover, we believe that planning its work better by adjusting mandate renewal periods and aligning the timing of reports on related issues would enable the Council to work more efficiently. Cost-saving measures, including avoiding regularly scheduling formal Council meetings on Fridays or avoiding the translation of documents over the weekend also merit continued consideration.

All in all, my Government would like to stress that improving the working methods of the Security Council is indeed an important component in bolstering the effectiveness and overall legitimacy of the Council's work. As a non-permanent member of the Council for the next two years, let me assure the Council that the Republic of Korea will remain deeply committed to improving the Council's working methods and will work strenuously to that end.

The President: I now give the floor to the representative of Costa Rica.

Mr. Ulibarri (Costa Rica) (*spoke in Spanish*): Costa Rica would like to thank the Indian presidency for convening the fifth open debate on improving the Security Council's working methods. We would also like to welcome and highlight the work carried out by Portugal as Chair of the Informal Working Group on Documentation and Other Procedural Questions.

One year ago, Costa Rica attended a similar debate (S/PV.6672) aimed at reiterating our commitment to and interest in this matter and at proposing ideas. At that time, the Small Five Group, of which we were a member along with Jordan, Liechtenstein, Singapore and Switzerland, had already circulated draft resolution A/66/L.42/Rev.2 aimed at providing new impetus to the improvements. The draft resolution referred to the existing Security Council, not the Council that could potentially exist at some point if we succeed in achieving its comprehensive reform. Thus, the suggestions contained in the annex to the draft resolution are still valid. They lay out a clear road map, which is always subject to change, for improving the Council's transparency, accountability, distribution of tasks and fulfilment of responsibilities through a stronger use of our Organization's legal and political instruments. In other words, the recommendations aim to further improve what we are already doing, and are based on Articles 10 and 25 of the Charter, which confers responsibility for and authority over the Council's performance on all Member States.

Unfortunately, opposition to the proposal was fierce, particularly on the part of the five permanent members and those countries that believed that the status quo best protected their interests. Furthermore, that opposition did not, unfortunately, rely on substantive arguments, but rather on procedural legalism, which was unjustified but institutionally legitimate and which forced us to withdraw the draft resolution. Nevertheless, the countries that are united in that effort — both within and outside of the group of five small nations — have not wavered in our commitment. Therefore, Costa Rica would like today to insist on the need for the Security Council to commit to the recommendations found in the annex to draft resolution A/66/L.42/Rev.2.

In addition, we would like to emphasize the following proposals. First, an action plan must be adopted for the complete and systematic implementation of presidential note S/2010/507 and its updates. Secondly, transparency in the work of the subsidiary bodies and the selection and independence of the panels of experts must be improved. In addition, the process leading to the election of the chairs of the subsidiary bodies must be more inclusive. Thirdly, the Council's actions in relation to the codification and development of international law must be limited. That is something that, in addition

to being outside of the Council's jurisdiction, has a negative impact on the Council and its mandate for the maintenance of international peace and security. Fourthly, cooperation with the International Criminal Court must be strengthened. That cooperation should be guided by impartial and general principles that scrupulously respect the independence of the Court and the respective jurisdictions of both bodies. Fifthly, the Council's relationship with the Human Rights Council must be strengthened, above all because of the role that the independent commissions of inquiry established by the Human Rights Council play in several situations on the Security Council's agenda.

Collective security is everyone's security, by all and for all. But the main responsibilities fall to the Security Council, which is, among other things, the basis for its enormous importance and the need for it to be more efficient, transparent, inclusive and open. Much progress can be made by improving the working methods of the Security Council. All that is missing is the political will to do so. We hope that this debate will succeed in fostering it.

The President: I now give the floor to the representative of the Netherlands.

Mr. Schaper (Netherlands): I have the honour to address the Council on behalf of the Netherlands and Belgium.

First of all, I would like to thank India, as President of the Security Council, for convening this debate and for preparing, together with Portugal, what we consider to be an excellent concept note (S/2012/853, annex). We would also like to express our gratitude to Portugal, and in particular its representative Ambassador Moraes Cabral, who organized the previous open debate in 2011 (see S/PV.6672) and has been a driving force behind this important subject as Chair of the Informal Working Group on Documentation and Other Procedural Questions.

Belgium and the Netherlands attach great importance to this open debate, which provides the wider United Nations membership with an opportunity to interact with the Security Council members on this matter. We feel a strong sense of urgency to make progress on the improvement of the working methods and on broader Security Council reform, for that matter. As has been said, we think it is high time to enhance the Security Council's accountability to the wider membership and to increase the transparency, legitimacy and effectiveness of its decisions.

In our view, concrete results on this issue can only be achieved through a meaningful dialogue between the Security Council and the General Assembly. That is the path we should follow, and today's debate is an excellent example of how we should proceed. We fully agree with the statement at the very beginning of the concept note that working methods "concern the States Members of the United Nations as a whole" (*S/2012/853, annex, para. 1*).

Moreover, as is also explained in the concept note, real and encouraging improvements have already been made in recent years. The debates on the working methods have already produced results, and it is good to remind ourselves that today the Council is operating under other, better and more transparent working methods than before. The Netherlands and Belgium would like to commend both the permanent and the successive elected members of the Council for their efforts in that regard.

The Netherlands and Belgium want to stress that fact because we do not want the further development of better working methods to become hostage to a lack of progress on the wider debate about Security Council reform. In May, we witnessed the withdrawal of the initiative of the group of five small nations (S-5) on the improvement of the working methods of the Security Council. At that point in time, the permanent members of the Security Council indicated that they were ready to seriously consider the recommendations put forward in the S-5 draft resolution (A/66/L.42/Rev.2). Belgium and the Netherlands hope that they will do so.

We studied the Indian-Portuguese concept note that was sent to us in preparation for this debate, as it contains an interesting overview of recent events and repeatedly stresses the right principles. This debate should lead us to real and concrete measures that simultaneously enhance transparency, efficiency and interactivity within the Council and with the wider membership.

In the concept note, Mr. President, you invite the wider membership to come up with a range of practical suggestions that could make a real difference in the day-to-day business of the Security Council. You, Sir, then sum up a list of concrete and operational ideas and suggestions, some of which were actually been put forward by the Netherlands and Belgium during the

previous debate in November 2011, and I thank you for that.

We welcome those different suggestions in the Indian-Portuguese paper aimed at increasing the involvement of States and other parties non-members of the Security Council in the Council's work, especially the suggestions aimed at enhancing the participation of the chairs of the country-specific configurations of the Peacebuilding Commission and of the troop- and police-contributing countries in relevant debates and discussions. We also support the proposal of a more flexible use of available meeting formats, such as Arria Formula meetings or informal interactive dialogues. Furthermore, we support the suggestions on increasing the transparency and inclusivity of the work of the Security Council's subsidiary bodies.

We would also like to repeat our plea to improve country-specific debates by inviting the country at stake in the discussions. Countries that are being debated, but that are not members of the Council, should be given the opportunity to contribute to Council debates at the moment when they really matter and under a formula to be decided on an ad hoc basis. By doing so, the Council would give a fair and decent chance to countries to put their points of view forward. After hearing from such a country, the Council could still discuss the issue at stake in a restricted debate among its members, without the country concerned being present. We also see merit in the proposal to promote more and more interactive open debates. The suggestion to invite non-Council members to speak among Council members is noteworthy.

At the same time, we would like to receive further clarification on some of the other suggestions. The suggestion to enhance the role of the Military Staff Committee is thought-provoking. It would be interesting to explore whether the Military Staff Committee could provide military advice when the Security Council considers the mandate of a military operation.

Belgium and the Netherlands truly appreciate the efforts that have been made so far to improve the working methods of the Security Council. The long list of ideas and suggestions in the concept note deserves our careful attention; some of them could, and should, be swiftly implemented. Let me add that, in addition to those ideas, we would like to underline the importance of the Council giving continued attention to the cases it referred to in the International Criminal Court and to improve its cooperation with the Court, as has just been argued by our colleague Ambassador Ulibarri.

We count on the Security Council members, in particular the permanent members, to make a joint effort together with the wider membership to continue enhancing the transparency, legitimacy, effectiveness and interactivity of the Security Council.

The President: I now give the floor to the representative of Sweden.

Ms. Burgstaller (Sweden): I have the honour to speak on behalf of the Nordic countries, namely, Denmark, Finland, Iceland, Norway and Sweden.

Let me first of all thank India for organizing this important and timely open debate. The working methods of the Council affect not only Council members, but the United Nations membership as a whole. Therefore, we much appreciate this opportunity to discuss the issue.

There have been improvements in the Council's working methods over the past years. We note that since the last open debate on this topic (see S/PV.6672), in November 2011, there has been increased attention to this matter.

The Informal Working Group on Documentation and Other Procedural Questions has intensified its work under the excellent stewardship of Portugal. The Council has also held consultations on how to improve the management of the Council's programmes and sessions. Those are all positive developments.

That momentum has not only applied to the inner workings of the Council. The draft resolution (A/66/L.42/Rev.2) introduced to the General Assembly by the so-called group of five small nations (S-5) at the sixty-sixth session fostered a thorough discussion on central aspects of working methods. The S-5 countries deserve much credit for their dedication and long-term commitment. We look forward to their continued contribution to this debate.

The key aspect of any discussion on working methods is transparency. We would therefore like to underscore the need for regular, informative briefings to non-members of the Council. Interactive wrap-up sessions at the end of each presidency enhance information-sharing and openness. We encourage Council members to consider organizing such briefings on a regular basis.

Making the Council's annual report more analytical and forward-looking would also enhance transparency. A closer connection between the monthly reporting and the annual report is encouraged. It is also important to

share regular updates on the scheduling of meetings of the subsidiary bodies in order for the wider membership to stay better informed about the matters they address.

The Nordic countries are eager to contribute to a culture of transparency. In that regard, we fully support the work of Security Council Report, which provides valuable insight and analysis about Council activities to the wider membership. Furthermore, the Finnish workshop, which celebrates 10 years this year, aims at giving new members of the Council an in-depth orientation to the practice, procedures and working methods of the Council. The reports from those workshops are distributed to all United Nations Members as official documents of the Council.

Efficiency in the Council's work is important. Conflicts today are more complex, and the Council's agenda is increasingly stretched. Therefore, we welcome the note issued by the President of the Council in June (S/2012/402). The agreement to change the periodicity of mandate renewals is positive in that regard. We also welcome the ongoing discussion on penholders and the appointment of chairs to the subsidiary bodies.

The quality of open debates could be further improved by ensuring that outcome documents reflect input from all participating countries. Concept papers could direct the focus of the debates to the questions on which the Council would like to consult the larger membership. We also welcome the discussion on the order of speakers. We welcome the Council's increasing use of videoconferences for briefings from the ground, and we encourage the Council to develop the concept further.

The Council should continue to actively seek ways to improve its ability to prevent conflict and to solve long-term conflicts on its agenda. We encourage the Council to put special emphasis on prevention and to find new, innovative ways to tackle emerging conflicts at an early stage. We welcome the use of horizon-scanning and encourage the Council to further develop and regularize the practice.

Enhanced cooperation with other United Nations bodies and partner organizations, including the Bretton Woods institutions and regional and subregional organizations, is essential. For example, the Council should regularly seek the advice of the chairs of the Peacebuilding Commission configurations by inviting them to participate in relevant Council meetings, including in connection with mission mandate renewals. In addition, troop- and police-contributing countries should be more closely engaged at all stages of decision-making about peacekeeping operations.

The Council has made good progress in developing cross-cutting thematic issues, for example, women and peace and security. The Council should now go further and systematically link country-specific situations and horizontal themes. That is important both from an operational point of view and a normative one. The Nordic countries welcome the significant progress achieved in enhancing due process both for listing and delisting procedures of the Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities. We recommend that those fair and clear procedures be extended to other sanctions regimes also. While the mandate of the Ombudsperson has been strengthened, we suggest it be extended for an unlimited period.

Much has been done to improve the work and the working methods of the Council, but much remains to be done. We call on the Council to start implementing the two presidential notes, S/2006/507 and its update S/2010/507, and the innovations contained therein, in a more systematic manner. In that light, we strongly encourage the Council to continue holding annual open debates on its working methods.

The President: I now give the floor to the representative of Slovenia.

Mr. Marn (Slovenia): I would like to thank the Indian presidency for convening today's open debate and also to thank the Indian and Portuguese delegations for the detailed concept note (S/2012/853, annex) for our discussion. It is timely that after one year we continue debate in an open format on this important issue.

If we want to improve the Council's efficiency, enhance its legitimacy and strengthen its role as a body entrusted by the Charter with the maintenance of international peace and security, we must consider improving its working methods and, most importantly, its transparency vis-à-vis the wider United Nations membership. In recent years we have seen some progress towards the realization of those goals. We welcome the initiatives by the group of five small nations in that respect. The Council should represent the interests and address the concerns of the entire United Nations membership.

All United Nations Members have been constantly confronted with an increasing number of Security

Council decisions with notable security, legal and financial implications for each Member State. For that reason also the Council must ensure better transparency and engagement with non-Council members in its decision-making processes on a more regular basis. The holding of open briefings and debates remains of particular importance. The wider membership should have an opportunity for its views to be heard and, to the extent possible, reflected in the outcomes of those debates. Consideration could be given to the order of speakers, while also allowing some time between the meeting and the adoption of a possible outcome document. That would demonstrate that the Council is willing to reflect on views presented by the wider membership before taking a final decision.

The distribution of concept papers that include guiding questions should be guaranteed well in advance, so that delegations can adequately prepare for their interventions. We should also not underestimate the role of regional and subregional organizations, which not only possess knowledge about specific threats affecting their regions but also are better suited to ensuring a more coordinated approach at the local, national and regional levels.

To enhance the Council's capacity for prevention we support regular open briefings by the Secretariat, the Special Representatives of and Special Advisers to the Secretary-General on the situations on the Council's agenda and those of emerging concern, including by the Special Adviser to the Secretary-General on the Prevention of Genocide and Mass Atrocities.

Non-governmental organizations (NGOs) and civil society play a crucial role in raising awareness. Regular thematic Arria Formula meetings could effectively complement the work of the Council on more specific issues, in order to make better use of information available from the NGO sector.

The Security Council should emphasize the importance of the rule of law in dealing with matters on its agenda. That includes references to upholding and promoting international law and ensuring that its own decisions are firmly rooted in that body of law, including the Charter, international human rights law, international humanitarian law and international criminal law. Special attention should be paid to the protection of civilians and those most vulnerable. We urge the permanent members to refrain from the use of the veto in the event of genocide, crimes against humanity and serious violations of international humanitarian law.

Slovenia remains convinced that Security Council reform needs to address both enlargement of its membership and improvement of its working methods. In that context, it is crucial to ensure that the Council continues to regularly assess how its practice matches the goals set out in the note by the President contained in document S/2006/507, with all updates, and that it continues to collect and build on valuable input from the whole membership on ways to further improve its working methods.

The President: I now give the floor to the representative of Spain.

Mr. González de Linares Palou (Spain) (*spoke in Spanish*): I wish to start by thanking you, Mr. President, for convening this open debate on the working methods of the Security Council. I also thank you for your concept note (S/2012/853, annex), which gives us sensible guidance for the development of our debate.

As the note points out, the working methods of the Security Council concern all United Nations Member States. It is indeed in the interest of the whole membership that the Council becomes more efficient in order to meet satisfactorily the functions assigned to it by the Charter. The greater the possibilities for involvement of all Members in the work of the Council, the greater the authority and influence of this body, which is called upon in a very particular manner to confront the threats to international peace and security.

The road taken during the past few years has had positive developments in increasing transparency in the Security Council. I wish especially to acknowledge the role played by Portugal during the last two years at the head of the Informal Working Group on Documentation and Other Procedural Questions, building on the basis of the previous work of Belgium, Japan, Slovakia, Panama and Bosnia and Herzegovina, just to mention their predecessors in that endeavour.

The role being played by the group of five small nations, composed of Costa Rica, Jordan, Liechtenstein, Singapore, and Switzerland, also deserves to be highlighted. Their ongoing contributions are an impetus to the necessary collective discussion. I support and endorse the remarks made by the Ambassador of Costa Rica this afternoon and thank him for them.

The members of the Security Council are committed to implementing the measures contained in the note by the President contained in document S/2010/507. Some of the measures are being well implemented. That is the case, for example, of those concerning the Council's monthly programme of work, such as the tentative forecast, the briefings of the incoming presidency and the regular updates of the programme of work. Other measures could be put into practice in a more consistent way, such as the proposals contained in paragraph 28 on open debates, paragraph 44 on draft resolutions and draft presidential statements or press statements, paragraph 59 *in fine* on informal or interactive dialogues, and paragraph 65 on the Arria Formula.

We believe that we should continue to update and expand note 507 with additional measures. Some of these were set out in the 25 March 2011 letter by the group of five small States. I reiterate our support for the following three points in particular — first, the outgoing presidency's briefings on the implementation of the Council's programme of work; secondly, the establishment of a working group on lessons learned that would assess compliance with resolutions and propose mechanisms to improve it; and thirdly, the inclusion of a specific section on the implementation of working methods in the annual report of the Council to the General Assembly.

As an additional measure, we believe it would be advisable to update information on the composition of the different groups in charge of writing the first drafts of resolutions. We believe that such drafts should be circulated before they are discussed by all Council members in informal consultations.

It is a fact that there are no specific measures about the veto in note 507. Spain is in favour of including such measures in future updates of the note. We see no drawback to permanent members of the Security Council committing themselves to the implementation of such measures, especially when these are supported by the vast majority of Member States. Such measures would include explanations of the reasons for using the veto, which is equivalent to explanations of vote, or the waiver of the veto in cases of genocide, ethnic cleansing, war crimes and crimes against humanity.

We believe that the guidelines set forth in the concept note are very timely. We trust that they will be developed so that the ideas put forward in today's debate will be used as a basis for the development of proposals in the targeted areas in order to improve transparency and effectiveness of the Security Council and its subsidiary bodies. Those proposals, when duly worked out, could be incorporated into note 507, which I propose should be regularly updated — for example, every four years.

To conclude, we believe that it is the responsibility of all Member States to contribute to the objective of making the Security Council a more transparent and inclusive organ, as well as more efficient and effective. We are certain that today's meeting will bring new impetus and lay down valuable tracks leading to progress towards that goal.

The President: I now give the floor to the representative of Senegal.

Mr. Diallo (Senegal): I have the honour to deliver the following statement on behalf of the Group of African States. I congratulate India on its assumption of the presidency of the Security Council for the month of November, and I thank it for including this very important aspect of Security Council reform in the Council's programme of work.

We welcome the concept note (S/2012/853, annex) circulated in a letter by the Permanent Representatives of India and Portugal, and take note of the efforts made by the Council towards improving its working methods.

We welcome the improvement we have seen in the working methods of the Council, including the use of informal interactive dialogue to interact informally with individual Member States, the Peacebuilding Council and subregional and regional organizations, and to address such issues as penholders, chairs of subsidiary bodies, preparation of the annual report and monthly assessments, all of which are, in our view, modest but meaningful steps towards improving the work of the Council.

We urge the Council to continue building on the important advances made through further improvement of the working methods. However, we remain convinced that cosmetic changes to the working methods do not respond to the fundamental need for reform of the Security Council and an expansion of its membership in both the permanent and non-permanent categories. Those values continue to be inconsistent with having a Security Council in which Africa remains unrepresented in the permanent category and underrepresented in the non-permanent category.

Our participation in today's debate is firmly rooted in our commitment to the African Common Position articulated in the Ezulwini Consensus and the Sirte Declaration on the reform of the United Nations. We remain convinced of the need for a comprehensive reform of the United Nations system that takes into account the principles, objectives and ideals of the United Nations Charter for a fairer world based on universalism, equity and regional balance. We are convinced that the reform of the United Nations should be all-inclusive, encompassing all components of the United Nations system, including the General Assembly and the Security Council. In that regard, we continue to call for a comprehensive reform of the Council as called for in General Assembly decision 62/557, and in that regard we continue to stress the interconnectedness of the five clusters of Security Council reform.

On the question of the two clusters related to the relationship between the Security Council and the General Assembly and to the working methods, we have at all times maintained a principled position on those two issues, underscoring the need to uphold the primacy of and full respect for the provisions of the United Nations Charter appertaining to the powers and functions of the General Assembly. The two clusters are inextricably interrelated, and there has been some emerging convergence among general views as the key elements have not given rise to any controversy — except among the permanent five, which maintain that reforming the working methods of the Council is a responsibility of the Council itself. Notwithstanding that point, several concrete proposals on how to improve the transparency of and access to the Council, including adopting set rules of procedure, remain actively on the table.

Our proposal on those two clusters, transmitted in our letter dated 23 December 2009, is reflected in the compilation text. In that regard, we maintain that the two organs must work closely together within their respective spheres in seeking solutions to the plethora of challenges confronting the international community, with the Security Council focusing on issues mandated under the Charter in order to foster harmonious interaction, ensure a cooperative relationship between the Council and the General Assembly without encroaching on each other's mandates spelled out in the Charter, and find the correct constitutional balance between them.

The relationship between the Council and the General Assembly remains a matter of paramount importance on the reform agenda, in fulfilment of what was agreed in the World Summit Outcome (resolution 60/1), which called for the full and speedy implementation of measures adopted by the General Assembly with a view to strengthening its role and authority and the leadership role of the President of the General Assembly. It also called for strengthening the relationship between the General Assembly and the other principal organs to ensure better coordination on current issues requiring coordinated United Nations action pursuant to their respective mandates.

It is essential to maintain a balance among the principal organs of the United Nations, and particularly between the Security Council and the General Assembly, in order to enable the Organization to meet existing and emerging threats and challenges. The role of the Assembly, including on issues relating to international peace and security, as provided for in the relevant Articles of the Charter, must not only be enhanced but strengthened in order to enable it play its proper role as the most representative, democratic and deliberative policymaking body of the United Nations.

Regarding the Council's working methods, Africa favours a more accessible, democratic, representative, accountable, transparent and effective Security Council that is and must be able to respond in a timely manner.

We commend the improved cooperation between the African Union Peace and Security Council and the Security Council, which has resulted in more structured and effective annual consultations between them. We will continue to urge enhanced coordination between them, as well as more predictable and sustained sources of funding for African Union peacekeeping operations and to support post-conflict reconstruction and development in Africa. Sustained cooperation between the Council and regional organizations will unquestionably be immensely helpful in addressing current and future challenges to international peace and security. Despite such positive developments, we remain concerned about inconsistency in the Council's decisions, as demonstrated by its growing selectivity in addressing issues of grave concern to regional organizations.

In conclusion, improving the working methods of the Security Council is an integral part of the reform process. The fact that the Council itself has been seized of the review of its working methods and that its rules of procedure have been provisional for the past 63 years or so is a clear indication of how imperative

it is to address this issue. We note that the main thrust of all the various groups' and stakeholders' positions is that we should ensure that the Security Council is transparent, inclusive, accountable and accessible in its working methods.

In that regard, the Council continues to fall short of the African Common Position on its working methods, and we stress that more is expected of those methods in terms of inclusivity, transparency and accountability if the Council's decisions are to be seen as legitimate and effective. We should therefore like to reiterate Africa's readiness to work with all interested groups and Member States to achieve decisive progress in this area, but in the context of a comprehensive package within the reform process, not in isolation from other clusters, since the issue of improving working methods is also very much tied to that of the expansion of the Council.

The President: I now give the floor to the representative of Uruguay.

Mr. Cancela (Uruguay) (*spoke in Spanish*): Uruguay is especially grateful for the convening of this debate. Efforts to improve the working methods of any entity with a view to making it more efficient and transparent are always welcome and should be an ongoing objective, especially as we are talking about the organ with primary responsibility for the maintenance of international peace and security.

We have always maintained that improving the Security Council's working methods is a valid and necessary exercise. The Council needs improvements that will make it more transparent, inclusive, effective and accountable for its actions — improvements that cannot be postponed in the times we live in. This is both feasible and necessary, even in the short term, so long as the political will is there, as the progress made in previous years has shown, including in the recent work of the Informal Working Group on Documentation and Other Procedural Questions chaired by Portugal.

There is much room for improvement in the Council's working methods. The recommendations contained in draft resolution A/66/L.42/Rev.2 are a good example of what can and should be done. Most require no substantive modifications and yet would still have positive effects both on practical issues and on outside perceptions of the Council. Others, such as those relating to the use of the veto, will undoubtedly require a thorough debate, particularly among the permanent members, but we believe that debate is inevitable.

As a country that is deeply committed to the peacekeeping system of the United Nations, Uruguay attaches particular importance to all issues relating to the establishment and development of peacekeeping operation mandates, and especially to the interaction and transparency that should characterize relations between the Council and troop-contributing countries, which is not only an end in itself but also a way of enhancing the mandates' effectiveness. Uruguay acknowledges that we have seen significant improvements in this area in recent years, but we believe that they have not been consolidated and that their implementation has been uneven. Much remains to be done in this area.

It is important that we not lose momentum on this matter. We hope this debate will be a catalyst for the prevailing desire of the majority in the United Nations and the international community as a whole for this organ to be more effective, transparent, and capable of rising to today's complex challenges. Uruguay is ready to play a proactive and constructive role in those efforts for the benefit of all.

The President: I now give the floor to the representative of Indonesia.

Mr. Percaya (Indonesia): I would like to thank you, Mr. President, for convening this open debate on the important subject of the working methods of the Security Council. We also thank you for your helpful concept note (S/2012/853, annex).

Indonesia associates itself with the statement made by the representative of Iran on behalf of the Non-Aligned Movement.

At the recent debate in the General Assembly on the annual report of the Security Council (A/67/2) and Security Council reform, an overwhelmingly large number of countries once again underscored the need for a more transparent, democratic and effective Council. Indeed, the Council is entrusted with the heavy responsibility of maintaining international peace and security — a responsibility that requires its constant, vigorous and even-handed oversight, as well as the full support and cooperation of all United Nations Member States. The Security Council has risen to the occasion during many challenges, and Indonesia commends its role, but there is no doubt that the Council would be able to discharge its responsibilities more effectively

through modified working methods that enhance its transparency, inclusiveness, accountability and efficiency.

Indonesia welcomes the Council's efforts to improve its working methods over the years, including by holding a significant number of open meetings with the countries concerned, troop and police contributors and other stakeholders. Those efforts need to be intensified. We hope that there will be comprehensive improvement in all aspects of the Council's workings. Allow me, in this regard, to put forward the following observations.

First, the Council should be more accessible, transparent and efficient, particularly for non-member States. Greater transparency in the Council's workings and more meaningful interaction with the non-permanent members and non-mmbers would enrich the Council's decision-making and strengthen support for its actions.

Secondly, there should be greater consultation, especially with members with a special interest in substantive matters under consideration by the Council.

Thirdly, Member States, in particularly those affected by sanctions, should, at their request, be given the right to participate and offer substantive inputs in the meetings of relevant sanctions committees.

Fourthly, draft resolutions, presidential statements and other draft documents tabled at informal consultations of the whole of the Council should, if so authorized by draft authors, be promptly made available to non-Council members.

Fifthly, the Council should hold regular, timely and meaningful consultations with troop- and police-contributing countries, host countries, the Department of Peacekeeping Operations, financial contributors and other countries directly concerned by a peacekeeping operation throughout all its stages. Substantive interaction with all peacekeeping stakeholders is necessary to ensure that United Nations peacekeeping missions are effectively enabled to achieve their mandates.

Finally, States must explain their reasons for using the veto when they do so, and a copy of such explanations should be circulated to all Member States. The Council is entrusted on behalf of all United Nations Members, and its actions and reasoning must be fully clear to everyone.

Indonesia thanks you, Sir, for this opportunity to present its views. We will continue to support the Security Council in its efforts to tangibly improve its working methods.

The President: I now give the floor to the representative of Cuba.

Mr. León González (Cuba) (*spoke in Spanish*): Cuba aligns itself with the statement delivered by the representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

One of the principle problems and challenges facing the United Nations 67 years after its founding is that it has failed to profoundly reform the Security Council into a transparent, democratic and effective body. Cuba underscores once again that the Security Council requires comprehensive, urgent and far-reaching reform. There can be no true reform of the United Nations until the Security Council is reformed. Council reform must necessarily include the modification of its working methods. The changes introduced in recent years to the working methods of the Council have been modest and limited. They do not guarantee the genuine participation of the membership in the work or meetings of the Council. Most changes have been formal.

The most important decisions, especially regarding highly topical issues, remain the purview of the permanent members of the Council and, at times, not even all of them. Most members of the Security Council have little scope to influence important decisions. Those of us who are outside the Council have even less.

The open debates that ocassionally accompany the adoption of presidential statements or resolutions are mere formalities, and we have repeatedly seen the Council adopt decisions before all speakers inscribed on the list have been heard. The Council must act on behalf of all Members of the Organization, in conformity with Article 24 of the Charter of the United Nations, which requires the guaranteed and genuine participation of the 193 present Members of the United Nations in its work and decisions. Cuba reiterates its view that the following urgent changes must be made to the working methods, as a minimum.

The number of public meetings must be increased and become the norm, in keeping with Articles 31 and 32 of the Charter. Closed meetings and consultations should be held only in very exceptional cases. States concerned should be allowed to participate in the deliberations of the Council on questions directly

affecting them, in keeping with Article 31 of the Charter. Resolutions and presidential statements should reflect the views expressed by Member States in public debates. Non-Council members should have guaranteed access to subsidiary bodies, including the right to participate in their discussions. The rules of the Council, which are still provisional after almost 70 years, should be formalized in order to improve transparency and accountability.

We are concerned by the growing trend on the part of the Security Council to consider topics and assume functions that are not within its mandate, thereby usurping the roles assigned in the Charter to other organs, in particular the General Assembly. Such violations of the mandate established by the Charter of the United Nations must end immediately. We again urge the members of the Council to review the agenda of this organ with a view to aligning it with the functions to be carried out by the Security Council under its mandate.

The Council must strictly abide by the provisions of the Charter and all resolutions of the General Assembly as the principal deliberative and most representative policymaking body of the United Nations. The Council must give adequate account before the General Assembly, presenting annual reports that are truly analytical, as well as special reports, as called for in Articles 15 and 24 of the Charter. Unfortunately, such special reports have yet to be seen.

The question of the veto is intrinsically linked to that of the working methods of the Council, in particular its decision-making mechanisms. The veto is an anachronistic and anti-democratic privilege that should be eliminated as soon as possible. Until it is, it will be important as a first step to consider various options for limiting the use of the veto, such as restricting it to measures adopted by the Council under Chapter VII of the Charter; establishing the option for the veto to be overriden by the affirmative votes of a certain number of members of the Council, depending on the number of members of an expanded Council; or establishing the option for a two-thirds majority in the General Assembly to override the veto.

A more transparent Council would be a more legitimate Council. A more inclusive and accessible Council that truly takes the opinions of Member States into account would be a more effective Council. Let us dispense with the rhetoric and usual ritual in discussing this important item. We are not lacking ideas or proposals. What is needed is action.

Let us eliminate once and for all the secrecy and lack of transparency in the work of the Council and the exclusion of the vast majority of members of the United Nations from its work and its decisions. Let us discuss proposals on reforming the working methods, such as those reiterated today by my delegation, and those of the Non-Aligned Movement, which Cuba fully supports. Let us not delay that exercise any further.

The President: There are no more names inscribed on the list of speakers.The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 4.20 p.m.